

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

2014 OCT 27 PM 4:59

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

LIGHTSOURCE ANALYTICS, LLC, §
PLAINTIFF, §
§ CAUSE NO. A-13-CV-931-LY
V. §
§
GREAT STUFF, INC.; GREAT §
SOLUTIONS, INC.; JAMES TRACEY; §
AND JOHNATHAN TRACEY, §
DEFENDANTS. §

BY RD
DEFENDANT

ORDER ON REPORT AND RECOMMENDATION

Before the court are Defendants' Motion for Attorneys' Fees filed June 23, 2014 (Doc. #47), Plaintiff's Response to Defendants' Motion for Attorneys' Fees filed July 2, 2014 (Doc. #48), and Defendants' Reply in Support of Their Motion for Attorneys' Fees filed July 9, 2014 (Doc. #49). The motion, response, and reply were referred to the United States Magistrate Judge for a Report and Recommendation as to the merits pursuant to 28 U.S.C. § 636(b), Rule 72 of the Federal Rules of Civil Procedure, and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. The magistrate judge filed his Report and Recommendation on September 23, 2014 (Doc. #54), recommending that this court deny the motion.

Pursuant to 28 U.S.C. § 636(b) and Rule 72(b) of the Federal Rules of Civil Procedure, a party may serve and file specific, written objections to the proposed findings and recommendations of the Magistrate Judge within 14 days after being served with a copy of the Report and Recommendation, and thereby secure a *de novo* review by the district court. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a Report and Recommendation bars that party, except upon grounds of plain error, from attacking on appeal

the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en banc*).

The parties in this cause were properly notified of the consequences of a failure to file objections. Any objections were due October 7, 2014. As of the date of this order, no objections have been filed. The court, having reviewed the entire record and finding no plain error, accepts and adopts the Report and Recommendation of the magistrate judge for substantially the reasons stated therein.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge (Doc. #54) filed in this cause is hereby **APPROVED** and **ACCEPTED** as set forth herein.

IT IS FURTHER ORDERED that Defendants' Motion for Attorneys' Fees filed June 23, 2014 (Doc. #47) is **DENIED**.

SIGNED this 27th day of October, 2014.


LEE YEAKEL
UNITED STATES DISTRICT JUDGE